

ENTERED

March 17, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

VS.

JOSE LUIS GARCIA JR.

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MAGISTRATE ACTION NO. 2:16-MJ-00314-1

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There is a serious risk that the Defendant will not appear; and
- (2) There is a serious risk that the Defendant will endanger the safety of another person or the community.

The evidence against the Defendant meets the probable cause standard. The Defendant was the driver of a tractor-trailer load that contained thirty kilograms of marihuana in the trailer. The findings and conclusions contained in the Pretrial Services Report are adopted, supplemented by the testimony of the Defendant's wife Daisy Fraga. The Defendant was on felony probation when he committed this offense, reflecting that he is either unwilling or unable to comply with court-ordered conditions of release.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private

consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 17th day of March, 2016.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE